

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 23-cr-80219-CANNON

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MICHAEL GORDON DOUGLAS,

Defendant.

DECLARATION OF JOHN DAVID
KIRBY


I, John David Kirby, Declare:

1. I have personal knowledge of the facts stated in this Declaration and, if called as a witness, would testify to these facts.
2. I am the attorney of record in the above-captioned matter.
3. On Monday, August 5, 2024, I was advised that Patricia Douglas, the registered owner of the Toyota Highlander searched in this case, is unable to testify due to multiple physical ailments. See Attached Declaration of Linda Douglas (Exhibit A).
4. On Tuesday, August 6, 2024, I contacted a certified handwriting examiner, Mr. William B. Smith, to conduct a handwriting analysis of the signature on the consent to search the Highlander with known exemplars of her signature.

5. Mr. Smith has advised me that he needs approximately three to four days to complete his analysis once he received the signature at issue (on the consent to search) and approximately twenty (20) known exemplars.
6. The defendant's mother, Linda Douglas, is currently gathering signature exemplars of Patricia Douglas' signature so that Mr. Smith can conduct his analysis.
7. The prosecutor in the case, Gregory Schiller, has informed me that he intends to object to late notice of Mr. Smith as a handwriting expert and the late provision of the report that he will provide. In any event, at this point it does not appear that the handwriting expert's analysis will be complete by the time of the motion hearing.
8. The defense therefore requests a continuance of approximately two weeks to allow the government to properly examine Mr. Smith's report and engage its' own expert if necessary.
9. The undersigned would note that he will be in trial in San Diego in the case of United States v. Coffey, 24cr505-AJB from August 21, 2024, until approximately August 24, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 7, 2024



John David Kirby,
Declarant